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CAD Bulletin No. 2002-04

TO: All Local Exchange Carriers (LEC's)  
FROM: Derek D. Davidson, Director, Consumer Assistance Division  
SUBJECT: Slamming Referrals to the CAD

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The purpose of this Bulletin is to encourage LEC's to refer customers that have been slammed to the CAD. In situations where the customer has resolved the issue herself, the CAD may still be able to provide some other remedy as part of an overall settlement to a slamming enforcement action. In situations where the LEC has recouped the charge to the IXC, the IXC may still seek payment for the outstanding debt directly from the customer. The only way to ensure that customers receive the credits they deserve pursuant to Maine law and Commission rules is to refer customers to the CAD.

In 2001, the CAD received 337 slamming complaints, which is nearly a 400% increase over the number taken in 2000. To date for 2002, the CAD has received 482 slamming complaints. If the current trend continues, we will take approximately 1309 slamming complaints in 2002, which is an increase of almost 300% over 2001. Reporting slamming cases to the CAD will help us enforce Maine's anti-slamming law and reduce the number of customers slammed by unscrupulous carriers in the future.

Some LEC's may be concerned that by forwarding a customer to the CAD, a complaint may be taken against it. This is typically NOT the case. The only situation where a LEC may be held accountable in a slamming situation (where it is not the slamming carrier) is if it intentionally fails to execute a properly submitted change order from an IXC or CLEC. As long as the LEC complies with its responsibilities as an executing carrier, a slamming complaint will not be filed against it. When the CAD receives a slamming complaint, the complaint is filed against the unauthorized carrier (the carrier that slammed the customer), not the LEC. *Please do not let this common misconception deter your Customer Service Representatives from referring customers who believe they've been slammed to the CAD.*

Typically, customers who've been slammed are concerned about other customers and wish to ensure that they do not experience the same problems. Customers will appreciate knowing that their complaint to the CAD may help prevent unscrupulous companies from slamming other customers in Maine.

Together, we can help to ensure that all carriers treat Maine customers in a fair and lawful way.

Please contact me at (207) 287-1596 if you have any questions. You can also reach me by e-mail at [derek.d.davidson@state.me.us](mailto:derek.d.davidson@state.me.us).